



**Committee:** PERSONNEL COMMITTEE

**Date:** TUESDAY, 14 JUNE 2022

**Venue:** LANCASTER TOWN HALL

**Time:** 6.10 P.M.

**PLEASE NOTE THAT THE VENUE IS LANCASTER TOWN HALL.**

## A G E N D A

1. **Apologies for absence**

2. **Appointment of Vice-Chair**

To appoint a Vice-Chair for the duration of the 2022/23 municipal year.

3. **Minutes**

Minutes of meetings held on 22 and 30 March 2022 (previously circulated).

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Items of Urgent Business authorised by the Chair**

6. **Extension to interim Director of Communities and the Environment (Pages 3 - 5)**

Report of Head of HR.

7. **Director Increments (Pages 6 - 8)**

Report of Head of HR.

8. **Chief Executive Appraisal Process** (Pages 9 - 11)

Report of Head of HR.

**ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Paul Anderton (Chair), Fabiha Askari, Gerry Blaikie, Mel Guilding, Caroline Jackson, Debbie Jenkins and Jason Wood

**(ii) Substitute Membership**

Councillors Roger Cleet, Adrian De La Mare, Roger Dennison, Erica Lewis, Oliver Robinson, Joanna Young and 1 Lib Dem vacancy

**(iii) Queries regarding this Agenda**

Please contact Stephen Metcalfe, Democratic Services - email [sjmetcalfe@lancaster.gov.uk](mailto:sjmetcalfe@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk).

MARK DAVIES,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on Monday, 6 June 2022.

**PERSONNEL COMMITTEE****Extension of Interim Director of Communities and  
Environment  
Tuesday 14<sup>th</sup> June****Report of the Head of HR****PURPOSE OF REPORT**

To enable Personnel Committee to extend the contract of the Interim Director of Communities and Environment

**This report is public.**

**RECOMMENDATION**

- (1) The Committee is asked to approve the extension of the contract of the interim Director of Communities and Environment to 31st August 2023 on the basis described below.**
- (2) The committee is also asked to approve delegating any future extensions to the Chief Executive.**

**1.0 Introduction**

- 1.1 On 30<sup>th</sup> March 2022 Personnel Committee approved the recruitment panel's recommendation to make a temporary, three-month appointment to the vacant role of Director of Communities and Environment.
- 1.2 The postholder commenced the role on 1<sup>st</sup> April 2022 and this interim arrangement is due to cease on 30<sup>th</sup> June 2022.
- 1.3 Subsequently, the Director of Corporate Services post has become vacant and as such the Chief Executive has implemented interim senior management arrangements to ensure that for the immediate future the Council can continue to deliver statutory functions and our agreed outcomes. This is described below and the request to extend the current interim arrangement relating to the Director of Communities and Environment is linked to this and explained below.

**2.0 Overview**

- 2.1 The original timeframe proposed for the interim role (three months) was agreed at a point where there was a newly-appointed Chief Executive and an otherwise settled Executive Management structure. It was anticipated at this point that a permanent appointment process to the role of Director of Communities and

Environment would commence during the three-month period.

- 2.2 As mentioned, the Director of Corporate Services role has recently become vacant and the Chief Executive has, as an interim measure, added the Monitoring Officer and Head of Legal Services, and the Chief Finance Officer, Section 151 Officer and Head of Financial Services roles to the Executive management team. The decision for these two roles to temporarily report into the Chief Executive is delegated to the Chief Executive as their roles have not fundamentally changed.
- 2.3 The remaining Heads of Service previously reporting into the Director of Corporate Services will report into these two roles as follows, with overview from the Chief Executive:
- Monitoring Officer and Head of Legal Services (Democratic Services, HR)
  - Section 151 Officer and Head of Financial Services (ICT, Revenues and Benefits Shared Service, Internal Audit)
- 2.4 With phase two of outcome-based resourcing (OBR) commencing and an election due in May 2023, it is proposed to retain the interim arrangements for at least the next 12 months until a permanent decision is made.
- 2.5 OBR is a systematic review of the Council's resources to ensure they are aligned to the agreed outcomes in order to ensure the Council remains financially sustainable. Therefore, the Chief Executive does not deem it appropriate to make permanent appointments to either the Director of Corporate Services or the Director of Communities and Environment posts at this point.
- 2.6 Extending the interim Director of Communities and Environment to 31<sup>st</sup> August 2023 will provide clarity and consistency to both the postholder, the service and the Council as a whole, and is in-line with the wider Executive management team arrangements. It is noted that this was an internal appointment and the postholder's substantive post remains vacant and will continue to be vacant for the duration of the interim arrangements.
- 2.7 Committee are also asked to consider delegating any future extensions to the Chief Executive should circumstances change in this timeframe, up to the end of 2023, pending permanent recruitment.

### **3.0 Recommendation**

- 3.1 It is recommended that Committee approve extending the role of interim Director of Communities and Environment to 31<sup>st</sup> August 2023.

### **4.0 Conclusion**

- 4.1 The Committee is asked to approve the recommendation.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> <b>(including Health &amp; Safety, Equality &amp; Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b>
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### LEGAL IMPLICATIONS

The Council's Chief Officers are employed under the nationally agreed Joint Negotiating Committee (JNC) terms and conditions. If the interim arrangement ceases as planned on 31<sup>st</sup> August 2023, the duration of the contract will have been 17 months and as such there are no employment law implications.

### FINANCIAL IMPLICATIONS

The revenue budget includes provision for this permanently established post. Further savings are likely to be generated via the escalated backfilling, however the use of external support may be required to fill any areas where subsequent cover is short.

### OTHER RESOURCE IMPLICATIONS

**Human Resources:**

None.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

### SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments.

### MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments to add

### BACKGROUND PAPERS

**Contact Officer:** Alex Kinch  
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**PERSONNEL COMMITTEE****Director Increments  
Tuesday 14<sup>th</sup> June****Report of the Head of HR****PURPOSE OF REPORT**

To seek approval from the Committee for Directors and Deputy Directors to increment to the next level on the pay scale.

**This report is public.**

**RECOMMENDATION**

- (1) That Committee considers and approves incremental progression for current Directors and agrees the future approach.**

**1.0 Introduction**

- 1.1 As per the Pay Policy Statement, Directors (and Deputy Directors) will move up the pay scale through incremental progression, linked to objectives following approval from Personnel Committee based on a recommendation made by the Chief Executive.
- 1.2 Appraisals are conducted at the end of the financial year in order to ensure the whole year's performance is taken into account.
- 1.3 A decision on whether to award the increment or not will be applied as a pay adjustment and should be approved by Personnel Committee but this has been applied inconsistently in previous years.

**2.0 Overview**

- 2.1 For the financial year 21/22, formal appraisals were not held for the Executive Team. However, regular one to one meetings were held with the Chief Executive where priorities were discussed and agreed and regular updates given.
- 2.2 The annual increment is paid on 1<sup>st</sup> April but Director increments for 21/22 have been paused pending a decision from Personnel Committee. On the basis of current post-holders this applies to the Deputy Director of Communities & Environment (currently interim Director of Communities & Environment) and the Director of Economic Growth and Regeneration.

- 2.3 Going forwards, with a new Chief Executive in-place, appraisals will be held with each Director (and when appropriate Deputy Directors) and objectives set for the year 22/23 and each financial year thereafter. This will ensure that future increments will be based on performance against clear objectives, which will be recommended by the Chief Executive and approved by Personnel Committee before any pay adjustment takes place.
- 2.4 In previous years, it has not always been the case that Director increments have only been applied following a recommendation by the Chief Executive and Personnel Committee approval.
- 2.5 Work will also be undertaken to ensure that the Pay Policy Statement and contractual paperwork are consistent on the how increments are applied at Director level.

### **3.0 Recommendation**

- 3.1 That Committee approve the Chief Executive's recommendation that incremental progression is agreed for Directors and Deputy Directors to the next point on the pay spine for 21/22.
- 3.2 To allow retrospective increments to stand with a commitment that no future increments are awarded without approval of Personnel Committee via the process outlined in the report.

### **4.0 Conclusion**

- 4.1 The Committee is asked to approve the recommendations.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

#### **LEGAL IMPLICATIONS**

Legal have been consulted and have no comments to add.

#### **FINANCIAL IMPLICATIONS**

The general fund revenue budget includes budgetary provision and assumes annual incremental progression for Directors. Should increments not be awarded this will create a revenue saving and will be built into future year projections as appropriate.

#### **OTHER RESOURCE IMPLICATIONS**

##### **Human Resources:**

None.

##### **Information Services:**

None.

##### **Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments to add.

**BACKGROUND PAPERS**

[Pay and Grading Structure](#)

[Pay Policy Statement](#)

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<b>PERSONNEL COMMITTEE</b>
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## Chief Executive Appraisal Process Tuesday 14<sup>th</sup> June

### Report of Head of HR

<b>PURPOSE OF REPORT</b>
To update Personnel Committee on the process for the performance management of the Chief Executive and to enable Committee to appoint a sub-committee panel
<b>This report is public.</b>

#### RECOMMENDATION

- (1) **The Committee is asked to appoint a panel of three from the Committee, including at least one Cabinet member, to act as an appraisal panel for the Chief Executive.**

#### 1.0 Introduction

- 1.1 The constitution (Personnel Committee Terms of Reference at 4.2 section e) states that Personnel Committee will appoint a Panel of (usually of three) from the Committee, including at least one Cabinet member, assisted by one independent adviser, to act as an Appraisal Panel for the Chief Executive.
- 1.2 This process is required by the JNC Conditions of Service for Chief Executives.
- 1.3 Appraisals should take place on a pre-determined date annually, with monitoring meetings throughout the year, and a mid-year review.

#### 2.0 Overview

- 2.1 The current Chief Executive came to post on 1<sup>st</sup> April 2022. It is proposed that the appraisal process runs from June to June, with the panel and the Chief Executive agreeing performance objectives based on the Chief Executive job description and the Council's four strategic priorities and twenty-four outcomes.
- 2.2 The Head of HR has made contact with North West employers who will provide an independent adviser to the panel. There is no additional charge for this service. The Head of HR will advise the panel on process.
- 2.3 Appointed sub-committee Members carrying out the appraisal should draw on information from their group and feed back to them, so that they draw on and

inform the wider views of Members. It is advisable for the Leader to form part of the three-person Member panel.

- 2.4 As per the Pay Policy statement, grade 18 is limited to one spinal column point and therefore has no incremental progression attached to it. Any amendments to the structure will need to be considered by Personnel Committee and subsequently approved by Council as it would be considered outside of the budget framework.

### **3.0 Recommendation**

- 3.1 It is recommended that Committee agrees on three Personnel Committee Member to join a sub-committee responsible for appraising the Chief Executive.

### **4.0 Conclusion**

- 4.1 The Committee is asked to approve the recommendation.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

#### **LEGAL IMPLICATIONS**

The responsibility for appraising the Chief Executive lies with senior elected members. It is a contractual obligation on the part of both the Chief Executive and the employing council to engage in a regular process of appraisal.

#### **FINANCIAL IMPLICATIONS**

The general fund revenue budget includes budgetary provision for the Chief Executive on grade 18 within the Council's pay and grading structure.

#### **OTHER RESOURCE IMPLICATIONS**

##### **Human Resources:**

None.

##### **Information Services:**

None.

##### **Property:**

None.

##### **Open Spaces:**

None.

#### **SECTION 151 OFFICER'S COMMENTS**

The section 151 officer has no further comments to add to this report.

<b>MONITORING OFFICER'S COMMENTS</b>	
The Monitoring Officer has no further comments to add to this report.	
<b>BACKGROUND PAPERS</b> <a href="#">Lancaster City Council constitution v1.6</a> <a href="#">Pay Policy Statement 22/23</a>	<b>Contact Officer:</b> Alex Kinch <b>Telephone:</b> 01524 582083 <b>E-mail:</b> <a href="mailto:akinch@lancaster.gov.uk">akinch@lancaster.gov.uk</a>